

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Final Office Action of April 7, 2008. Claims 1 and 36 have been amended. Claims 1, 6-16, 18, 20-27, 30-31, and 36 are pending. Reconsideration of the Application is requested.

Claims 1, 6-9, 14-16, 18, 20, 24, 25, 27, 30, and 31 were rejected under 35 U.S.C. 103(a) as allegedly being obvious over Kawamura (U.S. Patent Publication 2002/0025483 in view of Otsuka (U.S. Patent No. 5,130,222).

Claims 10-13, 21-23, and 26 were rejected under 35 U.S.C. 103(a) as allegedly being obvious over Kawamura and Otsuka in view of Yuh (U.S. Patent No. 6,261,729).

Applicants traverse the two obviousness rejections together.

Claim 1 has been amended to specify that the total thickness of the first and second charge transport layers is about 25 microns. Support for this amendment can be found in paragraph [0014] of the specification. This total thickness falls outside of the range disclosed by Kawamura. Kawamura's second charge transport layer has a maximum thickness of 10 microns. Thus, the maximum total thickness permitted by Kawamura is 20 microns because the instant claims require the two charge transport layers to possess the same thickness. Otsuka and Yuh, singularly or in combination, cannot make up for this deficiency.

Applicants acknowledge the indication of allowable subject matter in claim 36. Claim 36 has been rewritten into independent form.

Applicants request withdrawal of the two obviousness rejections.

CONCLUSION

For the reasons detailed above, it is submitted all remaining claims (Claims 1, 6-16, 18, 20-27, 30-31, and 36) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) For	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	24	- 34 =	0
INDEPENDENT CLAIMS	3	- 3 =	0

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Richard M. Klein, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP

June 4, 2008

Date

/ Richard M. Klein /

Richard M. Klein, Reg. No. 33,000
George P. Huang, Reg. No. 57,945
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

N:\XERZ\201211\US\MDK0000037\001.DOCX